



**Certificate of Mailing**

I hereby certify that on March 5, 2004, this correspondence and any attachments are being deposited with the United States Postal Service as First Class Mail, postage pre-paid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
Jeff Beno

**PATENT**

Atty. Docket No. 31045-101

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

JOHN C. S. KOO

Serial No.: 10/613,741

Filed: July 3, 2003

For: SHOE HAVING A CONTOURED BOTTOM  
WITH SMALL PARTICLES BONDED TO  
THE LOWEST EXTENDING PORTIONS  
THEREOF

Group Art Unit: 3728

Examiner: To be assigned

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.99, Applicant brings to the attention of the Examiner the following references which the Examiner may consider to be material to examination of the subject application.

Copies of the references are submitted herewith along with Form PTO/SB/08A and Form PTO/SB/08B. Applicant respectfully requests that the Examiner consider the enclosed references and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the enclosed documents constitute "prior art". Applicant reserves the right to present to the Patent and Trademark Office relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the enclosed references, should one or more of the references be applied against the claims of the present application.

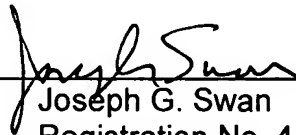
As this submission is being made prior to the first Office Action on the merits, it is believed that no fees are due in connection herewith. If there are any additional fees due in connection with the filing of this paper that have not been accounted for in this paper or in the accompanying papers, please charge the fees to Deposit Account No. 13-3735. If an extension of time under 37 C.F.R. §1.136 is required for the filing of this paper and is not accounted for in this paper or the accompanying papers, such an extension is requested and the fee (or any underpayment thereof) should also be charged to the Deposit Account. A duplicate copy of this page is enclosed for that purpose.

Respectfully submitted,

**MITCHELL, SILBERBERG & KNUPP LLP**

Dated: March 5, 2004

By

  
Joseph G. Swan  
Registration No. 41,338

**MITCHELL, SILBERBERG & KNUPP LLP**  
11377 West Olympic Boulevard  
Los Angeles, California 90064  
Telephone: (310) 312-2000  
Facsimile: (310) 312-3100



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/613,741
Filing Date	July 3, 2003
First Named Inventor	John C. S. Koo
Art Unit	3728
Examiner Name	To be assigned
Attorney Docket Number	31045-101

Sheet 1 of 5

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US- 2003/0009919-A1	01-16-2003	Stein	
	2	US- 2002/0166261-A1	11-14-2002	Safdeye et al.	
	3	US- 2002/0152638-A1	10-24-2002	Safdeye et al.	
	4	US- 2002/0133975-A1	09-26-2002	Bernthal	
	5	US- 2002/0035796-A1	03-28-2002	Knoche et al.	
	6	US- Re. 33,018	08-15-1989	Ostrander	
	7	US- 6,430,844-B1	08-13-2002	Otis	
	8	US- 6,243,973-B1	06-12-2001	Lind	
	9	US- 6,055,748	05-02-2000	Harrison	
	10	US- 6,255,235-B1	07-03-2001	Hiraoka et al.	
	11	US- 5,921,005	07-13-1999	Bell et al.	
	12	US- 5,799,418	09-01-1998	Davis	
	13	US- 5,276,981	01-11-1994	Schaffer et al.	
	14	US- 5,259,125	11-09-1993	Gromes	
	15	US- 5,038,500	08-13-1991	Nicholson	
	16	US- 4,825,564	05-02-1989	Sorce	
	17	US- 4,924,608	05-15-1990	Mogonye	
	18	US- 4,779,360	10-25-1988	Bible	
	19	US- 4,702,021	10-27-1987	Cameron	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	20	FR 2617382 Abstract	01-06-1989	Vigneron Emilien		✓
	21	JP 03170101 Abstract	07-23-1991	Achilles Corp		✓
	22	JP 06181801 Abstract	07-05-1994	Yamashita Seisakusho		✓
	23	JP 02267014 Abstract	10-31-1990	Kobayashi Yoshinobu		✓
	24	NZ 98234514.3	12-15-1999	Xuming Sun		✓

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2

of

5

**Complete if Known**

Application Number	10/613,741
Filing Date	July 3, 2003
First Named Inventor	John C. S. Koo
Art Unit	3728
Examiner Name	To be assigned
Attorney Docket Number	31045-101

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	25	US- 4,554,749	11-26-1985	Ostrander	
	26	US- 4,519,148	05-28-1985	Sisco	
	27	US- 4,489,510	12-25-1984	Williams	
	28	US- 4,374,460	02-22-1983	Towsend	
	29	US- 4,356,643	11-02-1982	Kester et al.	
	30	US- 4,172,293	10-30-1979	Vistins	
	31	US- 4,151,662	05-01-1979	Vistins	
	32	US- 4,108,452	08-22-1978	Baron	
	33	US- 4,089,069	05-16-1978	Vistins	
	34	US- 4,069,515	01-24-1978	Swallow et al.	
	35	US- 4,021,860	05-10-1977	Swallow et al.	
	36	US- 4,007,549	02-15-1977	Moore	
	37	US- 3,888,026	06-10-1975	Dassler	
	38	US- 3,555,697	01-19-1971	Dassler	
	39	US- 3,543,420	12-01-1970	Dassler	
	40	US- 3,303,250	02-07-1967	Bingham Jr.	
	41	US- 3,027,661	04-03-1962	McCord	
	42	US- 2,793,136	05-21-1957	Root	
	43	US- 2,736,926	03-06-1956	Johnson Jr. et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 3 of 5

**Complete if Known**

Application Number	10/613,741
Filing Date	July 3, 2003
First Named Inventor	John C. S. Koo
Art Unit	3728
Examiner Name	To be assigned
Attorney Docket Number	31045-101

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	44	US- 2,732,065	01-24-1956	Marchese	
	45	US- 2,640,283	06-02-1953	McCord	
	46	US- 2,427,882	09-23-1947	Schulte	
	47	US- 2,426,524	08-26-1947	Rosenbarger	
	48	US- 2,400,487	05-21-1946	Clark	
	49	US- 2,393,434	01-22-1946	V'Soske	
	50	US- 2,393,433	01-22-1946	V'Soske	
	51	US- 2,362,378	11-07-1944	Holbrook et al.	
	52	US- 2,333,303	11-02-1943	Enos	
	53	US- 2,121,678	06-21-1938	Armor	
	54	US- 1,716,790	06-11-1929	Mitchell	
	55	US- 1,395,958	11-01-1921	Hamilton	
	56	US- 384,483	06-12-1888	Walters	
	57	US- 2002/0162248-A1	11-07-2002	Otis et al.	
	58	US- 2002/0157281-A1	10-31-2002	Safdeye et al.	
	59	US- 2002/0152639-A1	10-24-2002	Otis et al.	
	60	US- 2002/0148141-A1	10-17-2002	Otis et al.	
	61	US- 2002/0148140-A1	10-17-2002	Otis et al.	
	62	US- 6,306,498-B1	10-23-2001	Yuuki et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>5</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/613,741
Filing Date	July 3, 2003
First Named Inventor	John C. S. Koo
Art Unit	3728
Examiner Name	To be assigned
Attorney Docket Number	31045-101

Sheet 4 of 5

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	63	US- 6,214,141-B1	04-10-2001	Kim et al.	
	64	US- 6,106,920	08-22-2000	Pichon et al.	
	65	US- 5,403,884	04-04-1995	Perlinksi	
	66	US- 5,403,638	04-04-1995	Yanagizawa et al.	
	67	US- 5,263,233	11-23-1993	Kim et al.	
	68	US- 5,108,777	04-28-1992	Laird	
	69	US- 4,963,422	10-16-1990	Katz et al.	
	70	US- 4,879,969	11-14-1989	Haranoya et al.	
	71	US- 4,640,858	02-03-1987	Barnett	
	72	US- 4,535,121	08-13-1985	Ozelli et al.	
	73	US- 4,405,730	09-20-1983	Cohen	
	74	US- 3,776,753	12-04-1973	Habib	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>			
		Application Number	10/613,741		
		Filing Date	July 3, 2003		
		First Named Inventor	John C. S. Koo		
		Art Unit	3728		
		Examiner Name	To be assigned		
Sheet	5	of	5	Attorney Docket Number	31045-101

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	75	May 29, 2003 Printout of web page at <a href="http://courses.che.umn.edu/00dha2213-1f/texana2213/nonwoven.html">http://courses.che.umn.edu/00dha2213-1f/texana2213/nonwoven.html</a>	
	76	May 29, 2003 Printout of web page at <a href="http://courses.che.umn.edu/00dha2213-1f/texana2213/needlep.html">http://courses.che.umn.edu/00dha2213-1f/texana2213/needlep.html</a>	
	77	May 29, 2003 Printout of web page at <a href="http://courses.che.umn.edu/00dha2213-1f/texana2213/felted.html">http://courses.che.umn.edu/00dha2213-1f/texana2213/felted.html</a>	
	78	May 29, 2003 Printout of web page at <a href="http://csm.utk.edu/textile/nonwovens/thermalbond.html">http://csm.utk.edu/textile/nonwovens/thermalbond.html</a> (pp. 1-8)	
	79	May 29, 2003 Printout of web page at <a href="http://www.mjfibre.dk/airlaid_menu.htm">http://www.mjfibre.dk/airlaid_menu.htm</a>	
	80	May 29, 2003 Printout of web page at <a href="http://www.mjfibre.dk/airlaid_bonding.htm">http://www.mjfibre.dk/airlaid_bonding.htm</a> (pp. 1-4)	
	81	"Harmonized Tariff Schedule of the United States (2003) -- Supplement 1", Section XII, Chapter 64, pp. 1-21	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.